[How it Works?

WILMINGTON, N. C., FRIDAY, APRIL 14, 1871.

The President has, on two occasions sent messages to Congress proclaiming lawlessness and anarchy in the South, requiring extra legislation, and an enlargement of the Executive powers. General Grant has confessed his inability to rule, except by the bayonet. Republicanism "in form" is impotent without the aid of the General's bayonets. This is the legitimate and exact interpretation of the President's messages. None other will be put upon them by the unbiased. It is the interpretation which foreigners put upon the President's demand for imperial powers to be accorded by an act of Congress. The pretext is that in some parts of the South life and property are endangered. The demand is for a power which places within the discretion of our President-General the power to suppress civil rights by an ukase, and suspend the habeas corpus act by a proclamation. The sequel to the political war-cry, "Let us bave Peace," is, give Grant power, give him more bay-

This official course of the President is not so likely to work great injury to the South as to damage the cause of Republicanism in the eyes of the civilized world. Radical Republicantyronny, under Grant's leadership, is the argument to sustain imperialism. The Montreal News, of 30th March, thus contrasts the tyranny of the

world with the milder despotisms of the old. The News says : It is a sad commentary on General Grant's administration that, after holding he can find no better mode of governing one-third of the United States than brute We do not hesitate to assert the opinion, monstrance silenced by the bayonet. We had hoped that General Grant would have seen the imperious necessity of healing civil discord in the land, so that the United States could present an unbroken front to the foe. The moral blindness of the Radical Republicans who hound him on is explicable. Can they not read his proclamation in the light that it will be understood in Europe ? Is it not an official confession that those who attack the United States can count on active allies throughout the United States, where a gallant people, outraged beyond endurance, will borrow the first weapon to hand tunity of giving substantial proofs of the to free themselves from oppression? satire on the swaggering pretensions of Cuban liberators, and the calculated ovations to Fenians, this murderous game of quartering Federal troops in Southern States! There is not one educated man in the United States who will honestly declare that the whites can be held in subjection to the blacks. We have no prejudice against the negro; but we must forget all that we have been taught, reject the evidence of our senses, and treat history as a myth and a juggle, before we can admit that, under any possible conditions, the white race will bow down before the negro and call him master. Yet that is the pith of General Grant's proclamation when divested of official verbiage. The bloodhounds of the press are eager for the hunt. Genuine, maw-worms, with peace on the lips, pride in their hearts, and the lust of power and pelf, they implore Congress to supplement Gen. Grant's decree by legislation which can torture where bayonets cannot strike. We may be asked what concern is it of ours whether the iron hand of military despotism falls on the South. We answer : Because it is day, went so far as to declare the belief an outrage against civilization to degrade free born Americans below the level of ignorant emancipated serfs. Because it is abhorrent to the conscience and in flagrant violation of the lesson which history teaches us. How came it to pass that at West Point Academy the untameable an tagonism of color cropped up, and that Gen. Grant's son was foremost in asserting the dominance of race? Have the Northerners obliterated the distinction of caste? The Northerner disdained association with the negro, while at the South he was carressed and treated as a petted child. The Northerner would shrink from personal contact with the negro, while at the South | which all good men must deplore - onthe belonged to the family, and went on rages provoked, on the part of the blacks, been brutes. There are brutes in all communities. Wife beaters are not extinct good. Let us have them ! among the emancipationists, but as a general rule the feelings of the negro at the South were not wounded by an avowed repugnance on account of color. The insidious policy of the Radical Republicans has been to build a wall of blood between whites and blacks at the South, and incite the latter to distrust, suspect and hate the former. The vilest motives inspired this policy. Radicals dreaded the influence of old associations. They feared that the negroes, whom they needed as their servile tools, would return to their old allegiance, hence the execrable contrivance of clothing the negro with the franchise, and closing Senate and Congress on the most

RULOFF, the convicted Yankee burglar and murderer, soon to suffer death for his crimes, says, in his confession, that just as the temptation overcame him he was about to secure a professorship at Chapel Hill. Ruloff is undoubtedly no worse than some of the carpet-baggers, who have been bay- arranged as follows:

illustrious names in the South. For these

reasons we denounce Gen. Grant's mani-

festo as an insult to the age, and a dis-

grace to civilization. Instead of appeal-

ing to bayonets he ought to have ruled

constitutionally, and proclaimed an amnesty. He ought to have restored to

Southern whites those rights of which

deprived, and not create an American Po-

onelled into office in the South. We have the record of one who, before coming to North Carolina and being foisted into a Sheriffalty, served four years in the penitentuary; while it is charged upon another, occupying judicial station, that he luxuri ated once in a similar abode.

THE CLOSING SCENES OF THE GENERAL Assembly, recently adjourned, were marked by some unusual and striking exhibitions. When the resolution of thanks to Speaker JARVIS, of the House of Representatives, a resolution' richly merited by the most worthy recipient -was moved, the colored members of that body, with, perhaps, an for the fairness and impartiality which he had extended to them, and their sense of the uniform kindness with which they had generally. We can, indeed, recall no one instance, during the whole course of the Legislative proceedings in either House, in which the colored members were accorded anything but generous and friendly treatment, although, in the earlier stages of the session, before Holden was impeached, and while his malignant counthem indulged in misguided and violent harangues. In this respect a marked contrast was presented to the course of certain Radical members in previous Legislatures since the negro has had a voice in the Assembly. It may not have escaped Capitol, and flaunted their brazen imputheir colored allies, -in one case proceeding to that extent, that the late A. H. Gal-

returning reason, -of the incipient conin its full extent, that the truest friends of people with whom their lots are cast and moral interests are identified. If so, the

These colored men have now an oppor-

a Convention of the people to remodel our degree with any of their rights, or to leg- surrection" any other than the ordinary to and refused to obey the same, and that ply a high and solemn duty, I offer no islate, in any way. detrimentally to the signification. It seems clear to my mind this failure on the part of said Kirk to apology to any one, and can only say if I privileges which they now enjoy. They bred offspring of seedy adventurers and designing native knaves, is an unwise, oppressive instrument, wholly unadapted to said that, as I understood the position in point of fact to suspending the writthe wants and condition of the people of taken by the respondent, he does not pre- Was the respondent authorized to do this both colors. They must appreciate (though the Lorislation was the case. The act of by the Constitution and laws of the State? of course, not so keenly as those whose ent undertakes to justify, recites "That stitution of the United States furbids the moral opportunities in life have been su- the Governor is hereby authorized and exercise of this extraordinary power by perior,) that no evil can befall a country empowered, whenever in his judgment the any authority of a State. I have unquesgreater than that of being cursed with an

taxation, which the existing Constitution swallowing up their scanty means. Let those colored leaders, then, who, the other that the action of the General Assembly their works. Let them assist in the good work of Reform before us, and it will be

Already, since the deposition of the arch-agitator, (by the aid, be it always remembered, of Republican votes,) there are and infamously exaggerated for selfish and

from our young friend, S. J. West, an invitation to attend the Annual Commencement of the Polemic and Kalisthenic Socities of Binghams School, The orators on the occasion are, from the Calisthenic Society, E. L. McNabb, of N. C. and J. R. Robinson of Texas; Polemic Society, R. M. Preston of Virginia, and S. J. West of this city; Valedictorian, R. Bridgers of Wilmington. Managers, Chief, J. G. Branch, Jr. of Duplin, J. DeB. Hooper, of Ala., J. W. Murchison, of Cumberland, W. M. Thigpen and W. P. Williamson of Edge-

The Lowry Gang Again at Work

Editor Wilmington Journal: The Lowry gang entered the store of J. W. Plummer, in Robeson county, on last Saturday night, and carried off a large quantity of venged for his letter published in the Wilthey have been so long and so manifestly them.

> Yours, IMPEACHMENT.

ties of Alamance and Caswell in a state of plete.

suspend and subvert the laws of the State, tion of North Carolina emphatically says, in the counties of Alamance and Caswell the military occupation and arrest were cannot recollect? been treated by the Democratic members incited, ordered, procured and commanded "the privilege of the writ of habeas corpus of a character calling for extracrdinary right, and, I thought necessary, but the Answer-Just previous to the time when A. D. Jenkins to defy and disregrad a writ shall not be suspended" -a positive probibi. diligence on the part of the "civil authoritical by military plan,

Court Judges of the State.

fit counterpart on this continent; but the are looked upon, by the Democratic ma- that the corrupt and wicked purpose nec- authorities only when in cases of rebel- doubt. That he had no power, as he referring in that conversation mainly to have come from the newspapers which I Foles were never doomed to the nideous tyranny of being placed under the hoof of tyranny of being placed under the hoof of the figure of the f eyes than their brethren in the Federal proclamations are untrue, unless the con quire it," surely it can hardly be contend- another State, organize them into an Mr. Pool and I then had a conversation tyranny of being placed under the hoof of a freshly emancipated negro, and all rea freshly emancipated negro, and all reburden of proof is on the respondent to bidden "to engage in war" can exercise of untold outrages and cruelties on our west corner of the Governor's office in the cular acts which Mr. Pool said Gov. Clay-Let us hope that these acknowledgments, show this. As I understand the position this power, which is only incident to a citizens as the evidence shows that he could be too had performed in Arkansas? on the part of the celored members, are of the respondent, it is not pretended by state of war, "rebellion or invasion." No and draw his warrants on the Treasurer of agreed to the proposition originally made the harbingers of a better feeling and of him that these counties were in insurrect more regions charge could be brought the State to pay for their services out of by me that it would be better to send a notion from the telegraphic accounts of standing of that term, but it is insisted sustained by the proof in the case? Did man who understands the Constitution and until that process had failed, to try the such things being common, that Governor viction, which must come, sooner or later, that the "civil authorities" in these countries in the respondent suspend the privilege of laws of the State I think must admit. I more violent remedy of military courts. — Clay ton was undertaking a military move ties were "unable to protect the citizens this great writ of right? That he did re will not therefore say more on this charge, I agree t with him that if the plan I had ment against certain portions of Arkan the negro race are to be found among the in the enjoyment of life and property," fuse to obey the writ, I think, is admitted but will pass to the last and sixth charge suggested should fail to discover and with whom their genuine material and sembly, ordinarily known as the "Shoff the following language will be found: ing to saspend and subvert the laws of the course ner" Act, to proclaim and declare said "Furthermore, this respondent admits State and to defy and disregard the lawauthorize the respondent? Every set of to the House able Richmond M. Pears in cite, order, procure and command" A. D. the Legislature must be construed to be Chief Justice of North Carolina, for the Jenkins "to defy and disregard the writ consistent with the Constitution, unless writ of habeas corpus, to the end set forth of injunction," and to deliver the money 'Shoffner" Ac', as it is familiarly and directed to the said George W. Kirk | roses alleged in the eighth articles. What a burlesque on principle, what a journment, they were not slow in express- called, I suppose, therefore, that the Leg- commanding him to produce the body of I shall enter into no details of the evido, that it is not contemplated, in having in which it is used in the Constitution, alleged in said fifth article, and It is satisfactory to my mind, and I beand as there is nothing in the Constitu- this respondent further admi's that the lieve to every unprejudiced mind; and I

pended the privilege of the writ of habeas Constitution of the U. it of States, duly regulated militia being necessary to the to it. appreciated this great and important right, security of a free State, the right of the It was suggested to make a military cc- was in the city. Col. Clarke was sent for. Fifth. That he unlawfully recruited an and guard dit by merting it is to that people to keep and bear arms shall cupation of the two counties, and to arrest, and after persuasion, agreed to accept the army of desperate and lawles; characters instrument, on ny the probabilities upon not be infringed; and, as stand detain and try such persons as were sus- command. I concurred. members of that body, with, perhaps, an and armed and equipped them as an army the powers of Congress, paragraph 2, in time of peace, pected of complicity in the outrages said Qu stion—Who invited you to the consequence of soldiers, and un'awfully made his war-section 9 of article I "The privilege of the privil their acknowledgments to that gentleman rants upon the Treasurer of the State for the writ of habens corpus shall not be ought not to be kept up, and the millarge sums of money for its support and suspended, nuless when in cases of re- dury should be kept under strict subordi- John Pool in the first instance. I anbelien or invasion, the public safety nation to, and governed by, the civil pow swered the Governor who seemed to appeal relative positions of the Governor. John Sixth. That he, wickedly intending to may require it." The present Constituter or." Crimes were committed, it is shown, to me for my opinion in regard to it, that Pool, yourself and any other persons you of injunction issued by one of the Superior tion, without exception. The right to ties," and it was the daty of the Governor an experiment for him to undertake; that he had been standing, conversing with suspend this great privilege, even by the of the State to use all proper power to aid he ought to send in conjunction with the somebody, at the southeast window. The The foregoing, I think, are the material highest authority of the United States, is the civil authorities in bringing these cul- military a judicial officer to try in accor- Governor was either in his chair or walkcharges, under the different specifications, utterly inconsistent with a time of peace, prits to justice; but the language used in dance with our forms of law such persons ing up and down the room, between against the respondent. My purpose is to and the tramers of our fundamental law the proclamations of the respondent ex- as the military should arrest. It was said where his chair sat and the sub division examine into the truth of these charges bave cautiously guarded the right of the by Mr. Pool that this would not accomplish between the southern windows, and I was candidly and according to the solemn ob- citizen in this particular. Except in "cases high dignity of the office to which the the object, and he, in this connection, sitting on the sofa near the southwestern ligations of the oath I have taken of rebellion or invasion, when the public people of the State had called him, and called him, and called to the Governor's attention what window, or near the Governor's chair. to try the respondent impartially. I have safety may require it," the privilege of discloses a motive utterly inconsistent Gov. Chyton, of Arkansas, had done un- Question-What was Mr. Pool's manner? sels were yet in the ascendant, some of no revenge to gratify in this matter, and this great writ of right can never be sas with honesty of purpose. no unkind personal feeling to promote. I pended. Only in a time of war can any But I have perhaps said enough on this stance, was according to his statement, as ner was, that Mr. Pool meant what he enter upon the discharge of the high, authority in the United States excercise charge, and I therefore pass to the fifth follows : That Gov. Clayton having the said until his proposition met with disfavor: solemu and important duty with feelings this power. If our State Constitution charge embraced under the head of the 7th same evils to contend with had embodied and then he varied his manner so as to inof pain and mortification. That North was entirely silent on the subject, it is be. article of the impeachment, and this militia, taken military possession of dis- duce the belief that he had been jesting. Carolina, my native State, should be the lieved that the Constitution of the United the charge contained in the eighth article affected counties and tried and executed | Question - Please state what was your first State in the Union to prefer articles | States is sufficient to probibit any State | I shall notice very briefly, as I have taken | large numbers of men by military courts | inference, from the language of Mr. Pool. of impeachment against her Governor, is a authority from its exercise without the ex. more time in considering the preceding and, in that way, had broken up the Ku- before his plan met with disfavor, of the matter of pain and mortification to the press consent of Congress. In the second than I intended. the recollection of the public that, in the good citizens of the Commonwealth. With paragraph of section 10 of the 1st article days when carpet-baggers flourished in the every disposition to judge charitably and of the Constitution of the United States at the same time ju-tly I approach the the following language occurs: "No State rather organizing the militia in aid of the effect would be upon Gov. Holden himself. stance of a superior without question. I investigation. Did the respondent falsely, shall, without the consent of Congress, lay so-called Republic, in form, of the new dence in our halls of Legislature, there corruptly and wickedly proclaim and any duty on tonnage, keep troops or ships were frequent acrimonious and unparlia- declare the said counties of Alamance of war in time of peace, enter into any such force as he might, by law, be author- erner, and Mr. Pool insisted that Governor nouncing it as infamons. mentary altercations between them and and Caswell in insurrection? The agreement or compact with another State, ized to organize in aid of the civil au- Clayton had made a success of it, and there answer of the respondent admits that or with a foreign power, or engage in war, thorities. George W. Kirk he knew to be was no reason why such a success should he proclaimed and declared the said coun- unless actually invaded, or in such immi- a desperate character, and offensive in not be the result here. I then called atties in insurrection, and the only question nent danger as will not admit of every respect, and that the respondent tention to the difference in the condition office as President for nearly three years, lowey shook his indignant fist right under on this branch of the investigation, there delay." It will, therefore, be seen that employed him for the purp see of stirring of the country—that what Chayton had the nose of the "gay and festive" Estes. fore, is as to whether he did it falsely, cor- the States are forbidden "to engage in up strife, and to produce civil war done was shortly after the military occu- collection, with absolute certainty, that he ruptly and wickedly. In other words, were war," and as the right to suspend the in our State by the armies of the did, and I am disinclined to believe the said counties in insurrection when so privilege of the writ of habeas corpus, at people of the States, and that what was borne that he did. I have an indistinct idea of force. Poland under the Czars has now a that the negro members of the Legislature declared by the respondent, for I take it most, exists in even the United States do not believe any honest man can then would not be borne now. I was something of the kind, but think it must tion according to the general legal under- against the respondent. Is the charge the har-earned taxes of the people, every judicial efficer with the troops and not, newspapers, to which I paid little attention, and that, therefore, the respondent was in the answer of the respondent. On contained in the eighth article. authorized by the Act of the General As- pages 30 and 31 of respondent's answer Did the respondent, "wickedly intend- Governor should take the more violent counties in insurrection. Did this act so that the said Adolphus G. Moore applied ful authority" of the Court "persuade, in-

that the term "insurrection," as used in make return to said writ and to produce have erred in my opinion of the law, it is the Act of the Legislature, was intended the body of said Moore in obedience here an honest error, and, being in the interest -that the present Constitution, the hy- will follow that the inquiry is whether take this to be an admission that he re- of the cit zen. these counties were in "insurrection" in fused to obey the writ, and having an orpoint of fact according to the usual legal ganized military force under orders to remeaning of that term? I have already sist the execution of the writ, it smounted the Legislature under which the respond- I have undertaken to show that the Coucivil authorities in any county are unable tionably shown that the Constitution of to protect its citizens in the enjoyment of North Carolina positively forbids the susin a count; will not, I submit, under the these counties were in insurrection. In wording of even this statute, justify the my arguments upon the first charge, I eninterrupted in the administration of the thorities" were in the ful, free and unrepublic justice, and the execution of strained exercise of their powers, and were the laws is unresisted. This view to not resited in the execution of the laws. my mind is irresistible For to con- I also referred to the proof in this case to the people, illustrate their professions by able to protect its citizens "in the enjoy- execution of the laws in Alamance and depoces and says:

ment of life and property" while they are Caswell, and that the "civil authorities" Question - Do you remember being pre- which I do not recollect; the question ununinterupted, and unresisted in the exer were in the full, free and unrestrained sent at a meeting or consultation in the der discussion being where we could get but not until it had met with the disapcise of their power, is to admit a weakness exercise of their powers. If my conclu- Executive office in the city of Raleigh, white men suitable for the purpose in view. proval of nearly every person present in in the administration of the laws incon- sions were correct the defence on this between Gov. Holden, John Pool and Mr. Pool stated, at that time, that there that part of the room. He then qualified ceivable, and such a conclusion could only point mecess ruly fails. But it is contend other members of the Republican party, was a man in his county or section of the it as I have stated it, in my examination. have the effect to bring into contempt the ed that the act of the Legis'a ure confer- on or about the 8th of June, 1870 : If so, State, by the name of Mac Lindsay, and in-chief. administration of the laws by civil au- red upon the respondent a discretionary state what occurred, and particularly what mentioned to me that I knew him, as he Question-Did you infer from the conthority, and would justify either the aboli- power, and that we cannot go behind the was said and done by Mr. Pool? evidences of great quiet and composure in tion of the system, or the proclamation to ascertain how the fact is Answer-Some time during the last 1864-'65. I had forgotten him, but up- was made by Pool as stated that his im our midst. Not that the previous trou- | weak and imbecile authorities, as it might in reference to the question of insurrection summer term of the Supreme Court, and I on this being said, I recollected him. bles in our midst have not been grossly appear that the one or the other was at I do not believe, as I have heretofore in think during the first week, Pool was here Mr. Pool said he was a man of unfault. I conclude that a state of insurree- this opinion unde taken to show, that any in Raleigh. As I heard from him and doubted courage and capable of any des- he disapproved of it. tion cannot exist where the "civil authori- such arbitrary power was intended to be know from seeing him in the room and perate resolve, and by way of illustrating | Question-What is your best impression partisan purposes, but still there were ties" are in the full, free and unrestrained conferred by the act of the Legislature hearing him argue causes, he was at that his capacity, mentioned some daring act as to who the man was who, after Pcol outrages perpetrated, here and there, exercise of power. The proof in this case even as to the procumation of insure of time in attendance upon the Court. Some of piracy, of which I had not heard be- had spoken of Lindsey, said he could furis full that there was no resistance to the tion. The respondent cannot in this way time during that week I think, and if not, fore, committed by the said McLindsay nish sixty or one hundred men of like execution of the laws in Alamance and justify an act in direct violation of the then certainly early in the next week, I either during the war or just at its close, calibre, and what were their remarkable Caswell. The courts were regularly held, Constitution. The history of the Legis- was asked to go to Gov. Holden's office to in the waters of eastern North Carolina, exploits? terms of familiaity with the household. by evil counsellors, and leading to retalia- and that he, the said MacLindsay, had Answer-My best impression is that D Southern gentlemen greeted the negro tory outrages on the part of a few whites, any process or warrant in their hands. — idea as that the act was intended to confer mane, Caswell and other portions of the been indicted therefor and only saved from A. Jenkins, the Treasurer, made the sugwith friendly courtesy. There may have with friendly courtesy. There may have more and a general effort for the ge not, therefore, in "insurrection" in point in direct violation of the Con- other leading Republicans would be pres- Lindsay, would pick up from the country mark, and I am in doubt only as to time, of fact, and if this be so then it follows stitution. All that car be contended with ent. I cannot say positively at what time where he lived, and which was between as he might have made it on some subsefrom the premises herein laid down that any kind of plausibility is that the act au- of the day the meeting began, but my im the two lines during the war, sixty or one quent occasion or meeting in the executive BINGHAM's School. -- We have received the respondent's proclamation was false thorized the respondent to declare a con- pression is, about 8 o'clock. It was very hundred men equally as during and brave office at which the matter was alluded to as charged, and that he knew it to be so. structive insurrection subject to the pro- protracted During the continuance of as himself; that this man, MacLindsay, I have forgotten what the exploits were, Secondly. Did the respondent unlaw hibitions of the Constitution of North the meeting, several persons who were not would give the Governor no trouble-that but a great deal of gasconade was indulged fully acrest, data; hold, imprison and Carolina. But it is now insur- there at the beginning, came in, and if any of these men, arrested by him, un- in in the way of description. otherwise maltreat \_\_eny of the peaceable rection did exist for the purposes of the several who were there at the beginning, dertook any resistance he would kill them, Question In any of the conversations and law-abiding citizens of said counties? action of the respondent, and that in cases went out. My recollection is not perfect or they would be lost and never heard of between Pool, Holden any yourself, was The respondent in his answer admits the of insurrection a suspension of the writ is as regards all the persons who were pres- again. I do not undertake to state his ex- any reference made to the effect on the arrest and detention of the persons named a necessary incident. If this were so in ent, but the following, at least, were some act words, but this was the substance of coming election? in the Articles of Impeachment. Were ordinary cases, still I maintain that it of them, to wit : the Governor, John Pool, his conversation. The Governor at this Answer-That was not the subject of those arrests made unlawfully and without could not be so in North Carolina under Jas. H. Harris, (col.,) Isaac J. Young, time was sitting in his chair. He got up the conversation. It related to the outwarrant, is, therefore, the question for in- the present Constitution, because the pow. Gen. Willie D. Jones. I do not recollect and walked nervously up and down the rages, though the election may have been vestigation? If there was no insurrection er to suspend is positively forbidden. I distinctly about Col. Clarke, but think he room for a few minutes before anything aliuded to incidentally, and I think it was existing in the territory in which the ar- am free to admit, however, that if the re- was, but my impression is not very de was said. I got up from the seat I occu- in connection with the matter. It was sug rests were made it must most certainly spendent had exercised even this excess of follow that they were unlawfully made, unless made by peace officers in the ordi-

were made under warrants, or in due is manifest from the fact that he arrested Instruction, and W. F. Henderson.

of the laws. No such proof has been equaled in the history of civilization. I as to the condition of the State and the ne offered in evidence. I conclude, therefore, that the second charge has been established according to the rules of evidence obtaining in Courts of Justice.

Thirdly, Did the respondent, without the listory of civilization. It was conceded by an pained to feel compelled to use such a flagrant abuse of power, I feel, ought not to be suppressed. The liberty of the condition of the State and the network of destroying what we called the men of the same description from his kuklux organization. It was conceded by all present that the ordinary civil tribunals exploits they had performed during the had failed to accomplish that object, and citizen in this honest old commonwealth is that unless some other force was brought to be already to the condition of the State and the network of destroying what we called the men of the same description from his kuklux organization. It was conceded by all present that the ordinary civil tribunals had failed to accomplish that object, and the condition of the State and the network of the same description from his kuklux organization. It was conceded by all present that the ordinary civil tribunals had failed to accomplish that object, and the condition of the state and the network of the same description from his kuklux organization. It was conceded by all present that the ordinary civil tribunals had failed to accomplish that object, and the condition of the same description from his country. Opinion of Senator Allen, of Daplia.

The charges contained in the eighth article of impeachment under which the respondent is arraigned before the Bar of the Senate for trial may be conveniently arranged as follows:

Thirdly, Did the respondent, without authority, arrest the Hon. Josiah Turner in the county of Orange?

The charges contained in the eighth article of impeachment under which the service of impeachment under which the service of impeachment under which the service of impeachment is arraigned before the Bar of the Senate for trial may be conveniently arranged as follows:

Thirdly, Did the respondent, without authority, arrest the Hon. Josiah Turner in the county of Orange?

The answer to this article admits the detention, but denies that the respondent to be clothed with a "little brief authority." The framers of our fundamental law discussion as to the remedy. In these discussion as to the remedy. In the units of boar, Republicans, white and colored. Carolina. There was, also, considerable discussion as to the remedy. In the units of boar, Republicans, white and colored. Carolina. There was, also, considerable discussion as to the remedy. In the units of boar, Republicans, white and colored. Carolina. There was, also, considerable discussion as to the remedy. In the units of boar, Republicans, white and colored. Holden.

At semetime during the objected to by Governor the detention, but denies that unless some other force was also, considerable to bear, Republicans, white and colored. Carolina. There was, also, considerable discussion as to the remedy. In the units of boar, Republicans, white and colored. Carolina the detenti

First. That the respondent falsely, cor- been pretended even faintly. The proof, cestry for us thus lightly to deal with the agreed that the military power would have ing indisposed to undertake the moveruptly and wickedly proclaimed the coun- too, is satisfactory indeed, full and com- subject. The respondent had the right, to be used in some shape or other, and ment, Mr. Pool said, in substance about and it was his duty under the act of the that this military power should be that of this: "Governor, you do not know how The fourth charge is an exceedingly Legislature, which has been relied on for North Carolina, because the military force they are talking about you in Washington. Second. That he unlawfully and with- grave and serious one. The privilege of his defence, whenever he thought it was of the United States sent to these parts The Republicans there say you are a failout warrant, and in subversion of the laws the writ of habeus corpus has ever been necessary to aid the "civil authorities in had accomplished no good. and the Constitution arrested, detained, held among the dearest rights of the lany county to 'protect its citizens in the Gov. Holden, during most of the con- of Alabama were made Governors of States imprisoned and otherwise maltreated citizen of the United States Without the enjoyment of life and property," to organ- ference, except those portions of it which by the Republican party under the reconpeaceable and law abiding citizens of said right to have the legality of the conture, ize a legal force, such as the law author- referred to the bad condition of things struction acts, and that you are sitting

"insurrection" in this Justice caused the said writ to be issued spondent to be used for the unlawful pur-

From the Raleigh Fentinel. SECRET HISTORY OF THE HOLDEN-KIRA WAR.

INVESTIGATION COMMITMEE. TESTIMONY OF R. C. BADGER, Esq. SENATOR POOL'S PROGRAMME.

We are enabled to lay before our readgate the conduct of Senator Pool in retestimony in full, and will follow it by that

mington Journal, of March 28th, against There must be resistance to the execution a wickedness of purpose rarely ever in the State. There was a long discussion

detention and imprisonment of the citizen ized him to organize under the militia in the two counties, was a listener and still and permitting these Ku klux to take Third. That he unlawfully and without inquired into the liberty of which we so laws of the State, and send them in aid of appeared to be anxious to bear suggestions. them away from you, or cause them to s'in warrant arrested the Hen. Jesiah Turner, much beast, becomes a mere empty sound the "civil authorities," and in subordina- I sat near him during the entire confer- away from you. without any foundation. Indeed, it be tion to civil authority. For the 24th sec- ence and at every suggestion made by any There was a meeting the next day at Fourth. That he unlawfully and in sub- comes a false and hyp critical cry. Our tion of the 1st article of the Constitution person, he appealed to me, either by look, which only the Governor, John Pool and version of law and the Constitution sus- Revolution ay to bers who tracked the of our State emphatically says: "A well gesture or word, for my opinion in regard myself were present. Somebody suggest-

> der similar eircumstances, which, in sub-Klax in Arkanses. Upon that some dis- character and antecedents of Lindsay? I have already said that the Governor cussion took place between Gov. Holden | Auswer-I thought Lindsay a determined would have been justified in raising, or and John Pool and myself as to what its villain, capable of taking life at the incivil authorities in Alamance and Caswell. I insisted that all the consequences of a drew the inference from Mr. Pool's state-He could do nothing more than to send failure would have to be borne by the Gov- ment, and that was my reason for de-

break up these rganizations that then the

writ of habeas corpus taking the arres ed that when he related what Governor Claymen out of the hands of the military offi- | ton had done, he intended that it should ce s was discusse!, I think nobody being be followed by Governor Holden. a party to this conversation except the | Question-Did Mr. Pool, in that converthe contrary clearly appears. In using in said fifth article, and that the said Chief in his hands to another agent of the re- Governor, Mr. Pool and myself. The sation, give Governor Holden Gen. Grant's proposition, made by myself, was that the opinion of Clayton? Governor should refuse to obey the writ of habeas corpus in these counti s placed in a but he did use Grant's name in connecing. They must know, as clearly as we islature used it in the same sense said Moore, at the time and place dence to justify my vote on this charge. that bad policy, and that it would not Smith of Alabams, work, and thought a be ter plan would be tion indicating that the framers of that said writ was served on the said Kirk, and can see no legal justification for it. Hav- to ans er the writ of habeas corpus, pro tion or communication with the other par-

them, who control the action of their race sense. If these propositions are correct it dent as Governor of North Carolina." I in a devoted friend to the personal liberty agreed upon, that if the military was called out it would have to be white or color- he did recollect that many violent propoed, in reparate organizations, under our sitions were made, but none adopted. J. laws, or a detailed militia, as provided for H. Harris told me, in front of the Court in the act of 1868. It was stated I think | House in this city, in the fall of 1870, that by the Governor, that he had tried the in that meeting, Mr. John Pool made some white detailed militia and found it utterly propositions, of which his recollection inefficient; that the class of men who would | was not distinct, of a very violent characsubmit to detail could not be relied on ; ter, and said something about "losing that as regarded the white militis we all men," or that "he had a man who would agreed, at least those of us who took part lose men." I have had a conversation in this discussion, that the Governor would with D. A Jenkins, who denies being be embodying a militia mainly composed present at at the time; also with I. J. of Ku-klux to put down Ku-klux; that as Young, who agrees substantially with the ignorant, mercenary and corrupt Judici- life and property, to declare such county pension of the writ. How then can the re- ers this morning a portion of the evidence regards the militia, it was inexpedient and facts as I have stated them, and with ary. They will yet feel, if the present to be in a state of insurrection," &c. The spondent justify the exercise of the power? taken before the special committee of the impolitic to use them, owing to the prejudent justify the exercise of the power? state of things is not cured, the weight of commission of a great number of crimes He undertakes this task by asserting that General Assembly, appointed to investi- dice in regard to race and color. It was the facts as I have stated them. then suggested, by whom I do not recol- Question-When Senator Pool spoke of sect, that it would be best to organize a resistance did you understand it as reand the legislation under it necessitate, declaration of "insurrection" while the deavored to show that there e uld not be gard to the late outrageous conduct of Gov. regular force. This, I think, was concur- lating solely to instances of that kind, or "civil authorities" are unmolested and un- a state of men in Holden in his arbitrary arrests and im- red in by all who joined in that conversa- rather that he would dispose of men in prisonment. We give Mr. R. C. Badger's tion. The persons present were grouped such a way as to relieve Governor Holden in different parts of the room, and the of the odium and responsibility of such same parties did not always join in the things? conversation, nor were they in a position would redound to the best interests of clude that the "civil authorities" are un show that there was no resistance to the Richard C. Badger being duly sworp, to hear what was said. At this time many violent propositions were made, all of

nary discharge of their duties, or by due it in this case? It is perfectly manifest only more decided. I am not certain as some others of the company, that such a Ku-klux were operating; and I think process issued by some Magistrate, The that the respondent exercised this excess to United States Marshal Carrow, or Au- proposition was infamous, and that if it prompt action, by whom I don't recollect, provisions of our law are clear, distinct and of authority for the purpose of promoting ditor Adams. I think the latter was pres- resulted as suggested the Governor would was urged on that account. emphatic in reference to this matter, and partizan ends, and not even to suppress ent and I think the same as to Hood, be damned in the memories of men for all cannot be misunderstood. If the arrests crimes, much less an insurrection. This (col.,) Assistant Superintendent of Public time. Mr. Pool then said I had misunderstood his meaning, that he did not intend course of law, it is matter of defence and individuals against whom not even the When I came in, it was stated to me that that result, he wanted to illustrate the deit devolved upon the respondent to show suspicion of crime rested. The conduct the object of the meeting was to take into termined character of Lindsay, and he the authority under the plea of justification of the respondent in reference to this consideration what advice should be given may have qualified it in a good many other night, and carried off a large quantity of tion. The mere fact that violations of the course he should ways. He stated in this connection that to be, but a meeting of leading republicance. No doubt they intended to be receiminal law were committed in these than as a most flagrant violation of the pursue to suppress the outrages in Ala- Clayton's troops gave no trouble. At this cans. counties is not a sufficient justification. Constitution and Laws, and as exhibiting mance, Caswell and several other counties time some other man who was present, I Question. When did the conversation do not recollect distinctly who it was, said between yourself and James H. Harris octhat he could furnish sixty or one hundred our, and where? men of the same description from his

county, fand mentioned some wonderful

exploits they had performed during the

ure, and Grant says that you and Smith.

Acswer-I was invited by the Governor.

Oaestion-Did Mr. Pool suggest the arsuggest the arrest of prominent gentlemen of the Conservative party in the State? Answer-I cannot say, from my own re-

Answer-I had not. I had a confused

Question-Did you understand Mr. Pool to approve and recommend to Gov. Hol den the conduct of Gov. Clayton ? Answer- I did. My understanding was

Answer-I am not certain that he did,

Question-Have you had any conversa-

organic law, to interfere in the slightest instrument intended to give the word 'in that the said Kirk made no return there ing discharged what I conceive to be sim- duce the bodies, and if discharged to ar- ties who were present, who corroborate rest upon some new charge; that that was | your statements; if so, who are the par-

In regard to the organization of troops, Answer-I have conversed with Col. the first difficulty presented and discussed must see-at least, the more intelligent of to mean an "insurrection" in its usual to, was done by the order of this respon- of individual liberty, may be pardonable was the fact which was very generally and he said, though he had no distine,

Answer-I thought both from the first suggestion-that he, Lindsay, would do it in either case, and render courts martial unnecessary. He afterwards qualified it,

was a member of the State Senate in duct of the Governor when the proposition pression was the same as yours?

Question. How many in all do you think were present in the first meeting? Answer. Thirteen. Question. Did they constitute the ordi pary and legal council of the Governor?

Answer. No. and were not so understood

Answer. Before the meeting of the Leg islature, sometime last fall, and in front of the court house, in this city. Question. What are your present party